

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

David White, AICP, Director
Ken Lerner, Assistant Director
Sandrine Thibault, AICP, Comprehensive Planner
Jay Appleton, Senior Programmer
Scott Gustin, AICP, Senior Planner
Mary O'Neil, AICP, Senior Planner
Nic Anderson, Zoning Clerk
Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Scott Gustin
DATE: September 17, 2013
RE: 97 Dunder Road

Enclosed is a communication from Don & Carroll Albertson, the owners of 97 Dunder Road and the permittees of zoning permit 13-1098CA. This zoning permit was appealed by neighbors and upheld by the DRB on July 16, 2013 subject to the following additional conditions:

1. Within thirty (30) days from the date of the signed findings, the owner shall provide to the DRB a detailed construction schedule for completion of the project. This schedule is subject to review and acceptance by the Board.
2. The approved work under the permit, with these additional conditions, shall be completed within six (6) months of acceptance of the schedule by the Board. The owner shall obtain a final Certificate of Occupancy for all of the approved work within eight (8) months of the date of acceptance of the construction schedule by the Board.
3. The owner shall provide a detailed written report to the DRB on the status of the work and compliance with the approved construction schedule within sixty (60) days after the date of acceptance of the construction schedule by the Board.

Condition 1 was missed. A "schedule" of sorts was provided on day 41, and the matter was referred to the Code Enforcement Office as a violation of the permit approval. The enclosed communication attempts to explain why the submission was late. This matter remains pending with the Code Enforcement Office.

SEP 09 2013

TO BURLINGTON D.R.B. VIA SCOTT GUSTIN DEPARTMENT OF
PLANNING & ZONING

COMPLETING THE ZONING PERMIT PROCESS: 97 DUNDER ROAD, BURLINGTON, VT
September 2, 2012

We apologize for the short delay in submitting background data on our project in the information dated August 14, 2013, and mailed the following week. The reasons are as follows:

Clarity: We are trying hard to provide good background data to Planning and Zoning. We do not want to violate any of the permit process. We need to get a solidly resolved zoning permit so that we can then obtain other permits. The overlapping permit process can be confusing: with different start times, different durations, and situations that can compete with one another. *We are trying to be very careful after having an active, valid Building Permit and still being criticized for working on the building.*

Zoning appears to be the Flagship Program in the permit process: Resolve that first step before moving on to other permits. We also understood that the Zoning permit extension was a simple routine process, extending the on-going work, with no extra data needed. Presumably this straight-forward approach would simplify and expedite the process. Since more data was subsequently required, we have attempted to provide comprehensive background. At this point we are still trying to get that important first step fully resolved. We all value a Democracy even though each step requires additional time.

Positive Interruption: We had a major family event create a very positive interruption in the process, the birth of our third grandson: Easton Jayden Stringer was born August 15th in a suburb of Austin, Texas. He is a healthy, happy, energetic seven pounds, one ounce baby boy, 20 inches long. Mother Cara Albertson and father Randy Stringer are overjoyed. Grandmother Carroll was in Texas for 2 ½ weeks to help with the new baby. Grandpa Don celebrated with the family up here. Our first two grandsons are college age, so this will be quite a change.

In full harmony, Vermont City and State offices were closed for celebration the following day – Friday August 16th. Okay, they were celebrating an important battle in our Revolutionary War, but it added to the opportunity to celebrate. Everyone had a long Bennington Battle Day holiday weekend. We also had a few extra family gatherings – our son and grandson family units keeping a helpful eye on Grandpa Don during this limited mobility period.

We regret the modest delay in submitting the required data. We wanted that information to have solid substance, but also needed to recognize and celebrate a very special family event.

Don Albertson
Carroll Albertson

Don & Carroll Albertson

Copies to:

- ✓ Development Review Board at Burlington Planning & Zoning, via Scott Gustin
- Bill Ward, Director, Code Enforcement Office